

REGULAR MEETING AND PUBLIC HEARING
OF THE FALLS CHURCH PLANNING COMMISSION
February 2, 2009
Council Chamber

1. CALL TO ORDER: Chair Lawrence called the meeting to order at 8:00 p.m.

2. ROLL CALL:

Members Present:	Ms. Hockenberry
	Mr. Kearney
	Mr. Lawrence
	Mr. Meeks
	Ms. Teates
	Mr. Wodiska

Member Absent:	Ms. Rodgers
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Administrative Staff Present:	Ms. Cotellessa, General Manager of Development Services and Planning Director
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Chair Lawrence related Ms. Rodgers was called out of town on a trip and would be back for the next meeting. He also apologized for starting the meeting late, but explained the planning commissioners were at a joint worksession with City Council on a variety of matters.

3. PLANNING COMMISSION REPORTS: None.

4. RECEIPT OF PETITIONS: None.

5. PLANNING DIRECTOR'S REPORT/WORKSESSION SCHEDULE:

Ms. Cotellessa reported there was a lot of procedural and housekeeping issues on the calendar this evening as well as the continued hearing for the Capital Improvement Program and a worksession on the Capital Improvement Program; the annual report to the City Council with some of the changes suggested at the last meet something; a new business special exception amendment for Pearson Square that the applicant requested be deferred to the next meeting because there were changes being made on that; the Planning Commission Rules of Procedure, with a complete copy provided that reflected the amendments agreed upon at the last meeting; and draft copies of certificates of appreciation for former Planning Commission members to be approved.

Ms. Cotellessa further reported the next regular meeting would be on Tuesday, February 17th, because Monday was Presidents' Day; there will be a reception on February 11, 2009, for the outgoing planning commission members at Cherry Hill Farmhouse; and the mini retreat has been scheduled for Saturday, February 21, 2009, at the Northern Virginia Regional Park Authority Headquarters. Maps to the location would be provided at the February 17th meeting.

Ms. Cotellessa noted the commissioners were in receipt of the most current Economic Development Office's business report which had a lot of interesting information on projects that have formally been approved by the commission.

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Ms. Cotellessa drew attention to the monthly report which contained current information on some of the projects under review through the planning office. There would be a meeting on March 30th, which was the fifth Monday in March, taking advantage of that to have a joint worksession on the Capital Improvements Program and budget to formally present ideas to the City Council.

Ms. Cotellessa advised the commissioners some of the upcoming items listed had not gotten formal resubmission so they may not be on the 17th of February or 2nd of March agendas. The subdivision at 411 East Jefferson Street would be coming forward on the 17th of February. This was a small subdivision of a lot where the City was getting parkland in the back of that lot. On March 2nd, it was expected the application before the commission this evening would be in a joint worksession with the City Council, which would provide the opportunity to look at the conditional rezoning that has been applied for in more depth.

Ms. Hockenberry expressed she was glad that they had received the economic business report, however when other reports, such as the report in the Washington Business Journal, come out she thought they should receive it in its entirety, to give a better idea of what type of recognition Falls Church was getting outside of the City.

Chair Lawrence asked what was the actual Planning Commission role in the Zoning Ordinance rewrite, and if it was going to formally come to the Planning Commission and if recommendations were needed.

Ms. Cotellessa explained it was, in effect, a giant zoning text amendment. Any change to the zoning code or a rewrite of the whole code is, by Virginia law, subject to Planning Commission recommendation, very much like a rezoning of a piece of property is. The Planning Commission thus has a pivotal role in this process. ZOAC was set up with representation from the Planning Commission to try to take up the burden of drilling down through a lot of that language. What she expected they would do, they would go through the staff review, try to clean out some of the issues there, work with the Zoning Ordinance Advisory Committee to hit the headlights, make sure the ordinance was doing what they wanted it to do, then they would bring it to this body with input from the Economic Development Authority, the Architectural Advisory Board, and the BZA, and then they would probably give the Planning Commission the "20,000 foot view" in terms of this was what this ordinance does, these were the major changes, here are where the changes have occurred in the new ordinance. The Planning Commission would then be making a recommendation on the entire ordinance to the City Council and it would be a formal recommendation after a series of public hearings.

Chair Lawrence was concerned about waiting until all three modules came in, doing it all at once, and thought starting the process earlier was a good idea. Ms. Hockenberry concurred that trying to do all the modules at once would be very difficult and thought taking each module as it came in would be better.

Mr. Lawrence suggested adding that to the retreat agenda. Since there hadn't been a zoning rewrite since the late 1950s, they needed to think ahead of time how they were actually going to do the outreach and that it was not like anything they had done before.

Ms. Cotellessa agreed and remarked the initial input they had from the consultant, Clarion and Associates, when they brought in the first module, their very strong preference was the staff drill down, review it, clean out the issues in there, and

provide comments to them so they could do a final draft to bring back to the boards. Staff was trying to run a concurrent process with that with the Zoning Ordinance Advisory Committee because they've been drilled down into this. She noted they could certainly do it in phases and would talk about it at the retreat.

Chair Lawrence asked if the 1230 West Broad Street site mentioned in the monthly report was the site of the Chicken Out and if that would be coming to the Planning Commission.

Ms. Cotellessa replied it was and they were waiting for resubmission. What had happened in a few cases was the applicant submitted, staff provided comments, and then they've not come back for whatever reason: Things were a little slow, they're trying to get the financing, there were a lot of reasons and staff didn't always know what they were. She couldn't say exactly when it would be coming back.

Chair Lawrence noted the report mentioned City Center South, said that the Council held a session in December on proposed changes and he asked did they get anything on paper.

Ms. Cotellessa replied that a worksession was held in December where draft plans were brought in. Staff stepped back from the process a little bit so more changes could be made and brought back. They had not gotten those changes back which was why it's not scheduled.

Ms. Hockenberry asked about the business update on the burned out auto place that Buyers purchased and asked how it fit in with the City's latest statement about automotive places and if it was considered expansion and not grandfathered in. Ms. Cotellessa said she would look into that to provide an answer. She said if it was a similar use, if it was auto before and it was being redone as auto, it may be a grandfathered use.

6. OLD BUSINESS:

A. Capital Improvements Program for Fiscal Years 2010-2014

Ms. Mester had nothing new to add to the previous staff report and looked forward to the worksession following the meeting.

The Chair opened the item to the public. Hearing no response, the Chair closed the item to the Public.

MOTION: Ms. Hockenberry moved, and Ms. Teates seconded, to continue the public hearing on the Capital Improvements Program for fiscal years 2010 to 2014 to February 17, 2009.

Upon voice vote, the motion passed unanimously.

B. Draft Annual Report to the City Council

Chair Lawrence asked if anyone had any comments.

Ms. Cotellessa reported that some of the weightier items such as Comprehensive Plan amendments, were moved forward, and at the request of the Planning Commission the vote tallies were more accurately reflected. She asked the commissioners to advise staff of any further changes. If

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there were none, the report would be finalized and Chairman Lawrence could present it to the City Council.

Chair Lawrence remarked he had a few small typographic or technical changes but nothing substantive and would present them later.

In response to Chair Lawrence's inquiry, Ms. Cotellessa thought a motion would be in order to approve the annual report to the City Council as written with the minor changes.

MOTION: Ms. Teates moved, and Ms. Hockenberry seconded, to forward the Annual Report with minor changes to the City Council with a presentation by the Chair of the Planning Commission.

Upon voice vote, the motion passed unanimously.

NEW BUSINESS:

7. Application 20080979, Special Exception Amendment, Retail, Retail Service, and Office Uses, 410 South Maple, Pearson Square

Ms. Cotellessa informed the commissioners the applicant requested deferral of this item and unless there was someone in the audience who wished to speak to it, it should be continued to February 17, 2009.

The Chair opened the item to the public. Hearing no response, the Chair closed the item to the public.

MOTION: Ms. Teates moved, and Mr. Meeks seconded, to continue Application 20080979, Special Exception Amendment, Retail, and Retail Service, Office Uses at 410 South Maple Avenue, Pearson Square, until February 17, 2009.

Upon voice vote, the motion passed unanimously.

Mr. Kearney asked if there was a floor plan of the building to see what areas were proposed to be changed from retail to service retail. He also inquired if the report incorporated Walsh Colucci's letter or were they asking something different than what the letter was stating.

Ms. Cotellessa explained originally the applicant came in asking for the flexibility to add retail service uses to the ground level because they were having problems with the build out of retail. Subsequent to that, after they had some discussion with other possible office tenants, they wanted to broaden the scope of the types of uses that they could have. The application had been readvertised to broaden the scope to make sure everybody was aware of that and they would be bringing it forward to the Planning Commission. She would ask applicant to bring a floor plan with them next time. The letter from Walsh Colucci was meant to acknowledge that they have broadened the scope and were changing the uses.

Mr. Kearney asked if it was still for 50 percent of what was currently zoned as retail space or were they looking for the entire ground floor. Ms. Cotellessa noted there had been discussion between staff and the applicants, and the discussion with them was to limit to the extent possible what they're doing on the

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ground level which won't be retail. Staff has recommended they consider limiting that to no more than a 50 percent total which she thought they had reflected.

Ms. Hockenberry suggested since there were so many new members on the Planning Commission, that there be a short update about the art space.

Ms. Mester would work with the planning director on the floor plan and provide an update on the art space. Ms. Hockenberry felt that was important and emphasized that Transwestern keep working with Falls Church Arts to make sure it did come about.

Ms. Mester informed the planning commissioners Falls Church Arts and Creative Cauldron would be joining the Economic Development Authority's meeting tomorrow night, February 3, 2009, when Transwestern would address this subject.

Ms. Cotellessa noted regarding the 50 percent, in looking at the numbers staff had considered Creative Cauldron and the art spaces as meeting the original intent, dropping that out of the bottom floor before the 50 percent cut off to give that space more flexibility.

8. **OTHER BUSINESS:**

A. **Amendments to Planning Commission Rules of Procedure**

Chair Lawrence noted an extra copy of the Rules of Procedure had been provided to the commissioners because in Section 1 under General Duties, G, what had been sent in the packet did not reflect the changes agreed to at the last meeting in terms of making everything available electronically to the extent possible. He thought Ms. Cotellessa had already made a lot of headway regarding that.

Ms. Cotellessa said the only thing added was the statement on the front cover saying that we're committed to the spirit and letter of the ADA, which was required on all City publications of this sort.

After inquiry by Chair Lawrence, Ms. Cotellessa advised him that he could invite the public to speak in that the Planning Commission would forward it to the City Council as part of the process.

The Chair opened the item to the public. Hearing no response, the Chair closed the item to the public.

MOTION: Mr. Kearney moved, and Mr. Wodiska seconded, to adopt the Rules of Procedure as revised at the last Planning Commission meeting.

Upon voice vote, the motion passed unanimously.

B. **Certificates of Appreciation to Former Planning Commissioners**

Chair Lawrence reiterated Ms. Cotellessa's earlier remarks regarding having a reception on February 11, 2009, at Cherry Hill Farm House for the three former Planning Commission members.

Chair Lawrence asked to change the fifth "Whereas" clause on Ms. Budetti's certificate by inserting "very capably." He also noted that Ms. Sanders was not chair in 2008. Ms. Cotellessa noted the changes and would check the dates.

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Ms. Hockenberry thought this was a wonderful idea and was sorry that she wasn't present at the City Council meeting last time but she and Ms. Teates were attending their Planning Commission course at the City of Fairfax.

Ms. Cotellessa noted since this was not a formal action, they would make the changes and bring them back for signature.

9. **APPROVAL OF MINUTES:** 21 January 2009.

Ms. Teates moved, and Mr. Meeks seconded, to approve the minutes of 21 January, 2009, as amended.

10. **ADJOURNMENT:**

Ms. Teates motioned, and Ms. Hockenberry seconded, a motion to adjourn. The motion passed by voice vote, and the meeting was at 8:26 p.m. Immediately following the meeting, the Planning Commission met in a worksession to discuss the Capital Improvements Program (CIP): Public Works (General Fund and Utility Fund); Transportation; and Outstanding Issues.

Respectfully Submitted,

Noted and Approved:

Ann Hieber
Recording Secretary

Suzanne Cotellessa
Planning Director

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